



# राजपत्र, हिमाचल प्रदेश (असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, बुधवार, 25 मार्च, 1964/5 चैत्र, 1886

## GOVERNMENT OF HIMACHAL PRADESH

### FISHERIES DEPARTMENT

#### NOTIFICATION

*Simla-4, the 1st February, 1964*

**No. Ft. 3-43/48.**—With reference to the Himachal Pradesh Government (Fisheries Department) Notification No. Ft. 3-43/48, dated 26th September, 1963, and in exercise of the powers conferred by section 6 of the Indian Fisheries Act, Act IV of 1897 read with Himachal Pradesh Government Notification No. Ft. 45-322/56, dated 5-3-1957 and section 3 of the Punjab Fisheries Act, Act II of 1914 as applied to the State of Himachal Pradesh, the Lieutenant Governor, Himachal Pradesh is pleased to make the following rules for regulation of Mahsir fishing in the waters specified below from the date of issue of this Notification:—

#### WATERS

(1) Portion of river Giri on its left bank in Sirmur district forming common boundary between Himachal Pradesh and Punjab.

(2) Portion of stream Ashni on its right bank flowing in Mahasu district and forming common boundary with Punjab.

## RULES

## PART I—GENERAL

1. *Short title and commencement.*—(a) These rules may be called the Rules for the Regulation of Mahsir Fishing in Himachal Pradesh, 1963.

(b) These rules shall come into force on or from such date as the State Government shall specify in the notification.

2. *Definitions.*—In these rules, unless there is anything repugnant in the subject or context:—

(a) "Lieutenant Governor" means the Lieutenant Governor of Himachal Pradesh.

(b) "Fishery Officer" means the Fishery Officer declared under section 2 of the Punjab Fisheries Act, II of 1914.

(c) "Licence" means fishing licence issued by the Himachal Pradesh Fisheries Department or Punjab Fisheries Department.

(d) "Sportsman" means a person who catches fish for the purpose of sport and game and not for sale.

(e) "Chief Conservator of Forests" means Head of the Himachal Pradesh Fisheries Department.

(f) "Deputy Commissioner" means the administrative head of the district.

## PART II

1. No person shall fish in any of the waters specified above except under a licence granted by the Deputy Warden of Fisheries, Bilaspur Division, Himachal Pradesh, Bilaspur or his counterpart in Punjab Government in the form appended to these rules; provided that:—

(i) nothing in these rules shall entitle a licence holder to fish in any water closed for fishing by any rule notified under section 6 of the Indian Fisheries Act, 1897;

(ii) nothing in these rules shall prevent the catching of any species of fish of any size at any time of the year by the staff of the Fisheries Department of Himachal Pradesh acting under the authority of Deputy Warden of Fisheries, Bilaspur Division, Himachal Pradesh, Bilaspur;

(iii) no fishing shall be allowed in area one mile below Gohra in Giri river which shall be considered a closed area and no licence shall be issued to a person who is not a sportsman.

2. Not more than ten yearly licences and ten monthly licences shall be issued in a year by the Deputy Warden of Fisheries, Bilaspur Division, Himachal Pradesh, Bilaspur.

3. A person desiring to obtain a licence under rule 1 shall make an application to either authority specified in that rule and shall in the application indicate the period for which the licence is required.

The licence shall be granted subject to the following conditions:—

(i) The licensee shall fish with rod and line using not more than two hooks only and using any of the following lures:—

(i) artificial or natural fly, (ii) artificial spinning bait including spoons, (iii) natural spinning bait, (iv) artificial or natural worm.

(ii) The licensee shall not catch, kill or sell any fish of the species Mahsir (Barbustor) less than twelve inches in length and if caught shall not retain it (unless the same has been so mutilated that it cannot survive).

(iii) The licensee shall be bound to report to the Deputy Commissioner, Tehsildar or any officer of the Fisheries Department or

Forest Department any breach of the rules that comes to his notice.

(iv) Every licensee shall on demand show his licence to any person specially empowered under section 6 of the Punjab Fisheries Act, 1914.

(v) The licensee shall not employ nor engage any person, other than his children under the age of 16 unless the person so employed is also a licence holder.

4. No licence shall be transferable.

5. The licence shall remain in force from the 1st day of April each year to the 31st day of March in the year following.

6. (i) The licence fee for the issue of a licence under these rules shall be as follows:—

(a) For a year or any part thereof exceeding one month ...Rs. 30

(b) For a month or any part thereof ... ..Rs. 12

(ii) The licence fee paid may be refunded to the licensee or his legal heir on the presentation of a claim of refund within one week from the date of issue of the licence if it is proved to the satisfaction of the officer issuing the licence that it was not availed of under special circumstances, e.g. change of residence to a place where the licence could not be made use of or the death of the licensee immediately after the licence was issued.

(iii) Where a licence granted under the rules is lost or accidentally destroyed, the authority which granted such licence may on payment of fee of one rupee issue a duplicate licence.

(iv) A licence shall be granted free of charge to any of the rulers of the former Indian States integrated into Himachal Pradesh having rights or privileges in the aforesaid waters.

(v) No licensee shall be allowed to use any kind of net, erection of fixed engine, dams or weirs and the diversion of water for catching fish or poison, lime, dynamite or other noxious or explosive substance for catching or killing fish:—

Provided that licensee may be permitted to catch 'Chilwa' for the purpose of using as bait and for no other purpose, with rod and line or a landing net or a small meshed casting net not exceeding  $2\frac{1}{2}$  feet in diameter, either themselves or through fisherman or a servant in their presence while they are actually fishing in the waters.

7. All apparatus erected or used for fishing in contravention of these rules may be seized and taken to the nearest Police Station by person empowered under section 6 of the Punjab Fisheries Act, 1914, to arrest without warrant for offences under the said Act and all such apparatus along with any fish caught by means of such apparatus may be forfeited on conviction of the offender under section 4 or 5 of the Indian Fisheries Act, 1897 or section 5 of the Punjab Fisheries Act, 1914, as applied to Himachal Pradesh:

Provided that the seized fish which is subject to speedy and natural decay may be sold by the Fishery Officer and the proceeds thereof dealt with in accordance with the procedure laid down for all receipts under Fisheries, subject to any order of the Court.

8. Every licensee shall submit quarterly information to the licensing authority showing the number, size and weight of fish hooked by him during each quarter.

9. Chief Conservator of Forests, Deputy Director of Fisheries, Himachal Pradesh, the Deputy Commissioner of the District or Deputy Warden of Fisheries may cancel the licence of any person for the breach of any of these rules or of the Punjab Fisheries Act, II of 1914, or the Indian Fisheries Act, IV, 1897, as applied to Himachal Pradesh.

## COUNTERFOIL

## FORM OF LICENCE

Book No..... Form No.....

## MAHSIR ANGLING LICENCE FORM

No. of licence.....

Name and Address of licensee.....

Period for which issued:

From..... to.....

From..... to.....

Fees paid Rs.....

Waters for which issued.....

Permission is hereby granted to the above named licensee to fish in the waters specified above from the date of issue of this licence subject to the conditions laid down in the rules published with Himachal Pradesh Government notification No. Ft.....dated.....

Dated.....

*Deputy Warden of Fisheries,  
Bilaspur Division, Himachal Pradesh, Bilaspur.*

Book No..... Form No.....

No. of licence.....

Date of issue.....

Name and Address of licensee.....

Period for which issued:

(i) From..... to.....

(ii) From..... to.....

Fees paid Rs.....

Waters for which issued.....

Permission is hereby granted to the above named licensee to fish in the waters specified above from date of issue of this licence subject to the conditions laid down in the rules published with Himachal Pradesh Government notification No. Ft.....dated.....

Dated.....

*Deputy Warden of Fisheries,  
Bilaspur Division, Himachal Pradesh, Bilaspur.*

*Conditions under which Licence is issued*

- (1) The licensee shall fish with rod and line using not more than two hooks only and using any of the following lures:—
  - (i) artificial or natural fly, (ii) artificial spinning bait including spoons, (iii) natural spinning bait, (iv) artificial or natural worm.
- (2) The licensee shall not catch, kill or sell any fish of the species Mahsir (Barbustor) less than twelve inches in length and if caught shall not retain it (unless the same has been so mutilated that it cannot survive).
- (3) The licensee shall be bound to report to the Deputy Commissioner, Tehsildar or any officer of the Fisheries Department or Forest Department any breach of the rules that comes to his notice.
- (4) Every licensee shall on demand show his licence to any person specially empowered under section 6 of the Punjab Fisheries Act, 1914.
- (5) The licensee shall not employ nor engage any person, other than his children under the age of 16 unless the person so employed is also a licence holder.
- (6) No licence shall be transferable.
- (7) The licence shall remain in force from the 1st day of April each year to the 31st day of March, in the year following.
- (8) The licence fee for the issue of a licence under these rules shall be as follows:—
  - (a) For a year or any part thereof exceeding one month ... Rs. 30
  - (b) For a month or any part thereof ... Rs. 12
- (9) No licensee shall be allowed to use any kind of net, erection of fixed engine, dams or weirs and the diversion of water for catching fish or poison, lime, dynamite or other noxious or explosive substance for catching or killing fish:
 

Provided that licensee may be permitted to catch 'Chilwa' for the purpose of using as bait and for no other purpose, with rod and line or a landing net or a small meshed casting net not exceeding 2½ feet in diameter, either themselves or through fisherman or a servant in their presence while they are actually fishing in the waters.
- (10) Every licensee shall submit monthly/quarterly information to the licensing authority showing the number, size and weight of fish hooked by him during each quarter.
- (11) Nothing in these rules shall entitle a licence holder to fish in any water closed for fishing by any rule notified under section 6 of the Indian Fisheries Act, 1897.
- (12) No fishing shall be allowed in area one mile above and one mile below Gohra in Giri River which shall be considered a closed area and no licence shall be issued to a person who is not a sportsman.

V. P. AGARWALA,  
Secretary (Fisheries).

